IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.68 OF 2007
IN
SUIT NO.604 OF 1987

Madhavsingh Gordhandas ..Plaintiff.

V/s.

1(a) Kishor Khimji Ved & Ors. ..Defendants.

And

Nensee Construction Pvt.Ltd. ..Respondent.

Mr.Cyrus Ardeshir i/b. Vigil Juris for plaintiff.

CORAM: A.M.KHANWILKAR,J

DATE : APRIL 20, 2007.

P.C. :

1. Heard counsel for the plaintiff. None appears for the defendants or respondent though served. Having gone through the pleadings on record I find substance in the argument of the plaintiff that the respondent is claiming through defendants. The respondent is asserting right in respect of suit property claiming through defendants. In that situation, the respondent will be proper party in the present proceeding, if not necessary party.

2. Thus understood, the Chamber Summons, in the interest of justice and to avoid multiplicity of

proceeding deserves to be allowed in terms of prayer clause (a) and (b). Ordered accordingly. Amendment to be carried out within four weeks. No order as to costs.